

Feb-11-08 02:03pm From US Clark Austin

US PROBATION AUSTIN Fax: 5129165766

Feb 11 2008 02:38pm P003/005

FILED

MAR 11 2008

CLERK, U.S. DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA
BY JAHTHE UNITED STATES DISTRICT COURT
THE WESTERN DISTRICT OF TEXAS
DEPUTY
AUSTIN DIVISION

2007 NOV 30 PM 2:06

CLERK, U.S. DISTRICT COURT
WESTERN DISTRICT OF TEXAS

BY DEPUTY

UNITED STATES OF AMERICA

DKT. NO. A-03-CR-194 H

v.

ANTONIO DELEON-ARTEAGA

PETITION FOR REVOCATION OF SUPERVISED RELEASE

On October 29, 2003, Antonio DeLeon-Arteaga was sentenced by Your Honor to fifty-two (52) months imprisonment, followed by a three (3) year term of supervised release for the offense of Illegal Re-entry, in violation of 8 U.S.C. § 1326. As part of his term of supervised release, the Defendant was ordered not to commit another offense, state or federal. He was also ordered not to enter or attempt to enter the United States without legal documents. On March 13, 2007, DeLeon-Arteaga was released from the custody of the United States Bureau of Prisons and removed to the Republic of Mexico.

On November 14, 2007, the Defendant was indicted for Attempted Entry After Deportation in Criminal Case No. 07CR3100-JAH in the United States District Court, Southern District of California. In order to handle the revocation of supervised release and new law violation, a transfer of jurisdiction in this case is respectfully requested.

Probation Officer Kathleen Dow now alleges the following violations of supervision:

1. The Defendant shall not commit another offense, state or federal.

Pursuant to the Indictment in Criminal Case No. 07CR3100-JAH in the United States District Court, Southern District of California, the Defendant, an alien, knowingly and intentionally attempted to enter the Untied States of America with the purpose, i.e., conscious desire, to enter the United States without the express consent of the Attorney General of the United States or his designated successor, the Secretary of the Department of Homeland Security, after having been previously excluded, deported and removed from the United States to Mexico, and not having obtained said express consent to reapply for admission thereto; and committed an overt act to wit: crossing the border from Mexico into the United States, that was a substantial step toward committing the offense, all in violation of Title 8, United States Code, Sections 1326(a) and (b).

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2. The Defendant shall not enter or attempt to enter the United States without legal documents.

On October 21, 2007, within the Southern District of California, the Defendant, an alien, who previously had been excluded, deported, and removed from the United States to Mexico, was found in the United States, without the express consent of the Attorney General of the United States or the Department of Homeland Security.

It is respectfully recommended that:

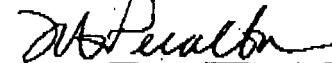
A warrant be issued for the Defendant's arrest and that the Defendant be brought before Your Honor to show cause why the period of supervised release imposed should not be revoked.

Respectfully submitted,


KATHLEEN DOW
U.S. PROBATION OFFICER

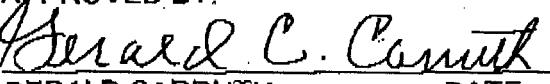
11-29-07
DATE

APPROVED BY:


FRANCISCO A. PERALTA
SUPERVISING U.S. PROBATION OFFICER

11-29-07
DATE

APPROVED BY:


GERALD CARRUTH
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AUSTIN DIVISION
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ORDER OF COURT

Considered and ordered filed and made a part of the records in the above case. The Court further orders:

no further action be taken

the issuance of a warrant

the issuance of a summons


HARRY LEE HUDSPETH
Senior United States District Judge

November 30, 2007